

Decision 98-06-050 June 18, 1998

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

A. R. Rashad,

Complainant,

vs.

Pacific Gas and Electric Company,

Defendant.

**ORIGINAL**

(ECP)

Case 98-03-016

(Filed March 11, 1998)

A. R. Rashad, for himself, complainant.

Mary Camby and Mark Denardo, for Pacific Gas and  
Electric Company, defendant.

**O P I N I O N**

A. R. Rashad, complainant, contends he is being harassed by employees of Pacific Gas and Electric Company (PG&E), defendant, in retaliation for bringing a civil lawsuit to recover \$1,924.19 for damages to his air-conditioning equipment after power surges during the outage of a 500 kV transmission line in August 1996. Complainant alleges this harassment consists of open hostility by defendant employees, the installation of a faulty meter, and inaccurate bills. PG&E denies all allegations of improper conduct or erroneous bills.

An evidentiary hearing was held on April 16, 1998 under the Commission's procedures for expedited complaints, Resolution ALJ-163. Complainant and defendant presented testimony and documents regarding the complaint.

Although complainant presented numerous letters sent to defendant from 1996 to 1998 containing specific details of his allegations of employee harassment and improper conduct, there is no evidence other than complainant's testimony to corroborate that these allegations are true. That is not to say that the allegations are false, only that there is no preponderance of evidence to prove that they are true, which is complainant's burden of proof in this proceeding.

PG&E investigated all assertions of employee misconduct. One field employee alleged to have engaged in hostile, aggressive conduct has the opposite reputation of being extremely courteous and professional and was specifically selected to conduct a field visit to complainant's home because of these qualities. PG&E found no merit to these and other allegations of employee misconduct.

PG&E presented business documents to show that complainant's report of a faulty meter and incorrect bills was investigated. Complainant's meter tested within the limits of acceptable accuracy. Complainant contends that PG&E's method of testing one meter against another is inconclusive and that the testing equipment was not calibrated. However, the calibration report was presented at the hearing with testimony that it was mailed to complainant. The report showed the field testing equipment was calibrated March 16, 1996. PG&E reread complainant's meter to verify that the usage was accurate and within his usage for the prior 12 months.

PG&E inspected complainant's gas meter and connecting pipes for a leak on September 5, 1997 after his attorney mentioned complainant's contention there was an odor of gas.

Lastly, PG&E presented documents and testimony to show that the disputed payment of \$39.11 was not made. The original check was never received in PG&E's offices. The processing information normally present on checks which are deposited was not present on the copy of a copy of the original

C.98-03-016 ALJ/PAB/bwg

check which was sent to PG&B by complainant. Therefore, PG&B cannot conclude that this amount was ever paid.

**O R D E R**

**IT IS ORDERED** that this complaint is denied.

This order is effective today.

Dated June 18, 1998, at San Francisco, California.

**RICHARD A. BILAS**

**President**

**P. GREGORY CONLON**

**JESSIE J. KNIGHT, JR.**

**HENRY M. DUQUE**

**JOSIAH L. NEEPER**

**Commissioners**